

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

v.

Criminal No. 08-415 (ADC)

BENEDICTO PERDOMO-ENCARNACION,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Bruce J. McGiverin on December 9, 2008. (**Docket No. 27**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Benedicto Perdomo-Encarnación** be adjudged guilty of the offenses charged in a one (1) count Information (T.18, U.S.C. § 1546(a)) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

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Accordingly, a judgment of conviction is to be entered as to Count One of the Information in the above-captioned case.

**The sentencing hearing is set for March 2, 2009 at 11:30 a.m.**

**IT IS SO ORDERED.**

At San Juan, Puerto Rico, this 19<sup>th</sup> day of January, 2009.

**S/AIDA M. DELGADO-COLON  
United States District Judge**